

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Criminal and Civil Justice Appropriations Committee

BILL: CS/SB 1398

INTRODUCER: Criminal and Civil Justice Appropriations Committee and Senator Crist

SUBJECT: Capital Collateral Regional Counsel

DATE: March 19, 2010 **REVISED:** _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hendon	Sadberry	JA	Fav/CS
2.			WPSC	
3.			RC	
4.				
5.				
6.				

Please see Section VIII. for Additional Information:

A. COMMITTEE SUBSTITUTE..... Statement of Substantial Changes

B. AMENDMENTS..... Technical amendments were recommended

Amendments were recommended

Significant amendments were recommended

I. Summary:

The offices of the Capital Collateral Regional Counsel are established in section 27.701 of the Florida Statutes to provide representation to death row inmates in capital collateral proceedings. The Governor appoints the capital collateral regional counsels. The bill extends the term of the capital collateral regional counsels from 3 to 4 years. The bill also strikes the prohibition of capital collateral regional counsels serving in other state positions for 2 years after vacating the office. The bill is effective July 1, 2010.

This bill substantially amends s. 27.701, of the Florida Statutes.

II. Present Situation:

The offices of the Capital Collateral Regional Counsel are established in section 27.701 of the Florida Statutes to provide representation to death row inmates in capital collateral proceedings. The Governor appoints the capital collateral regional counsels. Capital collateral regional counsels are prohibited from serving in other state positions for 2 years after vacating their office.

III. Effect of Proposed Changes:

The bill extends the term of the capital collateral regional counsels from 3 to 4 years. The bill also strikes the prohibition of capital collateral regional counsels serving in other state positions for 2 years after vacating the office.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Criminal and Civil Justice Appropriations Committee on March 19, 2010:

- The bill extends the term of the capital collateral regional counsels from 3 to 4 years.
- The bill strikes the prohibition of capital collateral regional counsels serving in other state positions for 2 years after vacating the office.

- B. **Amendments:**

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
